

(2) If you meet the criteria in paragraph (d) of this section, you must give the ISM Code notice to the Coast Guard Captain of the Port of the port or place of your destination in the U.S. at least 24 hours before you enter the port or place of destination. The ISM Code notice may be combined and provided with the report required by paragraph (a) of this section.

[CGD 79-026, 48 FR 35404, Aug. 4, 1983, as amended by CGD 86-055, 54 FR 14078, Apr. 7, 1989; CGD 94-027, 59 FR 39460, Aug. 3, 1994; CGD 91-045, 59 FR 40189, Aug. 5, 1994; CGD 94-089, 61 FR 50234, Sept. 25, 1996; CGD 97-067, 62 FR 65206, Dec. 11, 1997; 63 FR 5458, Feb. 3, 1998; CGD 97-067, 63 FR 44117, Aug. 17, 1998]

**§ 160.209 [Reserved]**

**§ 160.211 Notice of arrival: Vessels carrying certain dangerous cargo.**

(a) The owner, agent, master, operator, or person in charge of a vessel, except a barge, bound for a port or place in the United States and carrying certain dangerous cargo, shall notify the Captain of the Port of the port or place of destination at least 24 hours before entering that port or place of the:

- (1) Name of the vessel;
- (2) Country of registry of the vessel;
- (3) Call sign of the vessel;
- (4) International Maritime Organization (IMO) international number or, if the vessel does not have an assigned IMO international number, the official number of the vessel;
- (5) Name of the registered owner of the vessel;
- (6) Name of the operator of the vessel;
- (7) Name of the classification society of the vessel;
- (8) Name of the port or place of departure;
- (9) Name of the port or place of destination;
- (10) Estimated date and time of arrival at this port or place;
- (11) Name and telephone number of a 24-hour point of contact;
- (12) Location of the vessel at the time of the report;
- (13) Name of each of the certain dangerous cargoes carried;
- (14) Amount of each of the certain dangerous cargoes carried;

(15) Stowage location of each of the certain dangerous cargoes carried; and

(16) Operational condition of the equipment under §164.35 of this chapter.

(b) The owner, agent, master, operator, or person in charge of a barge bound for a port or place in the United States carrying certain dangerous cargo shall report the information required in paragraphs (a)(1) through (a)(4) and (a)(8) through (16) of this section to the Captain of the Port of the port or place of destination at least 4 hours before entering that port or place.

[CGD 79-026, 48 FR 35404, Aug. 4, 1983, as amended by CGD 86-055, 54 FR 14078, Apr. 7, 1989; CGD 94-027, 59 FR 39460, Aug. 3, 1994; CGD 94-089, 61 FR 50234, 50235, Sept. 25, 1996]

**§ 160.213 Notice of departure: Vessels carrying certain dangerous cargo.**

(a) The owner, agent, master, operator, or person in charge of a vessel, except a barge, departing from a port or place in the United States for any other port or place and carrying certain dangerous cargo, shall notify the Captain of the Port or place of departure at least 24 hours before departing, unless this notification was made within 2 hours after the vessel's arrival, of the:

- (1) Name of the vessel;
- (2) Country of registry of the vessel;
- (3) Call sign of the vessel;
- (4) International Maritime Organization (IMO) international number or, if the vessel does not have an assigned IMO international number, the official number of the vessel;
- (5) Name of the registered owner of the vessel;
- (6) Name of the operator of the vessel;
- (7) Name of the classification society of the vessel;
- (8) Name of the port or place of departure;
- (9) Name of the port or place of destination;
- (10) Estimated date and time of arrival at this port or place;
- (11) Name and telephone number of a 24-hour point of contact;
- (12) Name of each of the certain dangerous cargoes carried;

(13) Amount of each of the certain dangerous cargoes carried;

(14) Stowage location of each of the certain dangerous cargoes carried; and

(15) Operational condition of the equipment under §164.35 of this chapter.

(b) The owner, agent, master, operator, or person in charge of a barge departing from a port or place in the United States for any other port or place and carrying certain dangerous cargo shall report the information required in paragraphs (a)(1) through (a)(4) and (a)(8) through (15) of this section to the Captain of the Port of the port or place of departure at least 4 hours before departing, unless this report was made within 2 hours after the barge's arrival.

[CGD 79-026, 48 FR 35404, Aug. 4, 1983, as amended by CGD 86-055, 54 FR 14078, Apr. 7, 1989; CGD 94-027, 59 FR 39460, Aug. 3, 1994; CGD 94-089, 61 FR 50235, Sept. 25, 1996]

**§160.215 Notice of hazardous conditions.**

Whenever there is a hazardous condition either aboard a vessel or caused by a vessel or its operation, the owner, agent, master, operator, or person in charge shall immediately notify the nearest Coast Guard Marine Safety office or Group office. (Compliance with this section does not by itself discharge the duty of compliance with 46 CFR 4.05-10.)

[CGD 94-027, 59 FR 39460, Aug. 3, 1994]

**Subpart D—Year 2000 (Y2K) Preparedness Reporting for Certain Vessels and Marine Facilities**

**AUTHORITY:** 33 U.S.C. 1223, 1231; 49 CFR 1.46. Subpart D is also issued under the authority of 33 U.S.C. 1225 and 46 U.S.C. 3715.

**SOURCE:** By USCG-1998-4819, 64 FR 33412, June 23, 1999, unless otherwise noted.

**EFFECTIVE DATE NOTE:** At 64 FR 33412, June 23, 1999, Subpart D is added to part 160, effective July 23, 1999 until Mar. 31, 2000.

**§160.301 What is the purpose of this subpart?**

This subpart contains temporary regulations implementing the Ports and Waterways Safety Act (33 U.S.C. 1221 *et*

*seq.*) and related statutes. The information collected as a result of these temporary regulations will help Captains of the Port assess vessel and marine facility preparedness for potential Year 2000-related malfunctions.

**§160.303 When is this subpart effective?**

This subpart is effective from July 23, 1999 through March 31, 2000.

**§160.305 To which vessels and facilities does this subpart apply?**

This subpart applies to:

(a) Vessels owned in the United States and foreign flag vessels operating on waters subject to the jurisdiction of the U.S. between August 1, 1999, and March 31, 2000;

(b) Vessels owned in the United States and foreign flag vessels engaged in lightering operations under part 156 of this title on the navigable waters of the United States or in the marine environment;

(c) Vessels inspected under Chapter 33 of Title 46 United States Code; and

(d) Marine facilities as defined in §160.309.

**§160.307 Which vessels and facilities are exempt from this subpart?**

The following vessels and facilities are exempt from this subpart:

(a) Recreational vessels under 46 U.S.C. 4301 *et seq.*;

(b) Public vessels;

(c) Uninspected commercial fishing vessels;

(d) Uninspected barges;

(e) Foreign flag vessels engaged in innocent passage;

(f) Uninspected passenger vessels; and

(g) Facilities directly operated by the Department of Defense or under the authority of the Department of the Interior.

**§160.309 What definitions apply to this subpart?**

As used in this subpart:

*Agent* means any person, partnership, firm, company, or corporation engaged by the owner or charterer of the vessel to act in their behalf in matters concerning the vessel.

*Facility Representative* means the owner, operator, person in charge, or